

Wellsburg, (Brooks C. H.) June 13.

At the request of the members of the bar, his hon. judge Smith, was pleased to furnish for publication his address to the prisoner on pronouncing sentence upon him—and also a copy of the certificate ordered by him to accompany the record of the trial and conviction.

Our readers will understand that a statute law of this commonwealth, requires the judges of the general court, to certify all such circumstances as appear upon criminal trials to be certified with the records of conviction to imprisonment in the gaol and penitentiary house, as may have any influence upon questions of reprieve or pardon, in order to prevent any abuse of the executive power in that respect—the order for certifying the facts appearing upon the late extraordinary trial, with the charge we now lay before our readers, in pursuance of that statute.

[The unnatural monster who is the subject of the following charge and address, passed through this place on Wednesday last, accompanied by the sheriff of Brooke and a strong guard.]

Ed. Win. Gazette.

Thomas Johnston, you have been indicted and tried in this court for a rape upon Lavinia Johnston—you have had a fair trial, by a respectable and intelligent jury of your own choice, who after a patient and attentive hearing, and due deliberation upon your case, have pronounced you guilty of the charge.

It was remarked by your counsel on the trial, that by the laws of all nations in Christendom, (America excepted) the crime of rape is punished with death;—It is an offence marked by the reprobation and detestation of all civilized men. According to the general sense and feelings of mankind, a distressed & unprotected female has a right of defence, and under all circumstances, to claim and expect protection of any man who may be in a situation to afford it, against violent and forcible attempts upon her person;—if no such protection is at hand, the only hope of escape is an appeal to the humanity and honourable feelings of her assailant. That man who could resist such an appeal, and proceed to his abominable purpose by force and violence, against a female in tears, begging and beseeching him to have mercy on her, to take pity of her weakness, and her innocence, is a monster in human shape, possessing the form and figure, without the heart and feelings common to man.

But yours is no ordinary rape, it was perpetrated under circumstances of the most unusual and extraordinary character, such as have been very seldom, if ever, submitted to the consideration of a court and jury. The unfortunate Lavinia Johnston is a poor orphan child—she is your daughter! and you the only parent she had to look up to, for advice and protection, the most sacred and solemn obligation was imposed upon you, to bring up this child in the paths of innocence, to teach her lessons of morality and virtue, and to be her faithful adviser, guardian, and protector through life. How have you failed in the discharge of those duties? Not simply in neglect and omission, but you became her worst enemy, striving to corrupt her morals, to persuade her to the commission of an act, calculated to blast her character, and destroy her peace of mind forever—when she could not be induced by the persuasion, or the stern command of a parent, to submit to a disgrace and pollution so foul and unnatural, it seems that force and violence was resorted to, at a time when she was begging and entreating your pity and your mercy, calling upon you by the tender appellation of a parent, in hopes by thus reminding you of the existing ties of nature, to soften your most obdurate heart, and to avert the calamity: but all resistance, all appeals to the heart and feeling, were made in vain, and you triumphed over the innocence and weakness of your own child. By threats of putting her to death in case of disclosure, your offence was for a long time concealed, and during that time often repeated. Such is the history of the transactions as given by your daughter under oath; to her evidence the jury have given full credit, and in so doing, as I think, decided correctly.

The development of acts so cruel, inhuman and unnatural, so contrary to the laws of nature, the laws of the land, and the laws of heaven, excite feelings of the ut-

most horror, disgust and astonishment. They present one of the most extraordinary, unnatural, and melancholy instances of the depravity of human nature that has perhaps ever occurred in the commonwealth. It is believed to have no parallel in the annals of our judicial proceeding. The lenity of our law, in its application to this case, must be acknowledged to be very great indeed, in permitting any other punishment than death, under such circumstances.

It has been proved, that you professed to believe in a future state of rewards and punishments; and occasionally, with your daughters, bowed yourself down, and offered up prayers and supplications to heaven for mercy and protection. If so, if you believe, (as we are all taught to believe,) that at some future time, we shall all stand at the bar of eternal justice to receive judgment according to deeds done in this life, it becomes you to make speedy preparation for that awful trial.—By a sincere repentance, & fervent prayers and supplications for mercy, to endeavour to make your peace, obtain forgiveness, and reconciliation, to the favour of the supreme being, against whose divine laws you have so highly offended.—It only remains for me to pronounce the judgment of the law. That you be taken to the place from whence you came, and from thence to the public gaol, or Penitentiary House, near the City of Richmond, and be there confined to hard labour, TWENTY-ONE YEARS, one half of which time you are to be in the Solitary cells.

The following is a certificate above alluded to.

It is ordered to be certified, that upon the trial of this case, it appeared in evidence, that Lavinia Johnston, upon whom the offence was committed, is the daughter of the prisoner, that she is now under sixteen years; that the offence charged in the indictment was committed about five months ago, and shortly before the commencement of this prosecution. That about two years before that time, the prisoner then being and residing in the state of Pennsylvania, committed an offence of the like kind upon her the said Lavinia, and between that time and the time of the perpetration of the offence charged in the indictment, had repeatedly committed the like offence upon her in the state of Pennsylvania and in Virginia, after his removal thereto, that he had at various times threatened to take her life if she disclosed those facts, and by those threats she was deterred from making the disclosure, until about the time of the institution of this prosecution, that there was no other material facts in evidence either in aggravation or extenuation of the offence.—And witness being examined as to the general character of the prisoner, it was proved that he was a person addicted to intoxication, and when in such state very rude in his conversation and conduct to females, that when sober he was industrious, and generally conducted himself with decency and propriety; nor did it appear that before the commission of the said offence, he had ever been convicted or tried for any felony, or other infamous crime.

#### PRESIDENT'S TOUR.

New-Haven, June 24.

Arrival of the President.

On Friday, the 20th inst. the President of the U. States arrived in this city, and was received with such marks of distinction as are due to the chief magistrate of this great Republic. Believing that a description of the manner in which he was welcomed to old Connecticut, may prove gratifying to our patrons and the public, we shall attempt briefly to state the execution of the arrangements which had been previously made by the committee for his reception.

At 1 o'clock in the afternoon, the Revenue Cutter, Capt. Lee, with a number of the first masters of vessels in port and other respectable citizens on board; entered the sound, for the purpose of meeting the steam-boat, and giving timely notice to the military on shore of her appearance. At 4 o'clock the boat appeared, accompanied by the New-York Cutter, Capt. Cahoon, when the signal gun was fired by Capt. Lee, and answered from Fort Hale.—As the Connecticut entered the harbour, Capt. Lee, in a manner highly creditable to his skill, as a naval tactician, fell into her wake lowered his colours and struck his topsails, &c. simultaneously. He

then commenced a federal salute, which was obtained successively from opposite ports until the boat passed the fort; when the volunteers under command of Lieuts. Muñ and Dickinson commenced their fire, which was followed by the ship Morgiana, Capt. Thomas Ward, lying at West-Haven, and concluded by Capt. Blake's artillery, stationed on the bank near the new hotel. The order in which the escort proceeded up the harbour, was as follows: The steam-boat Connecticut—the New-Haven Cutter—the New-York Cutter—and the elegant packet Maria, Capt. Curtis. The last vessel was literally crowded with ladies and gentlemen of this city, who went out to meet his Excellency. Every vessel in port displayed her ensigns to the favouring gale.

It is impossible for us to do ample justice to the novel and agreeable scene which presented itself. A minute detail would occupy too much room, and perhaps tire the reader's patience. We cannot, however, avoid noticing the taste with which Capt. Lee's vessel was dressed, especially as it attracted the particular attention and approbation of all who were present.—The shore was thronged with spectators.

As soon as the boat arrived at the bridge, the Marshal of the district and the high sheriff of the county, who officiated as marshals of the day, waited on the President and requested leave for the committee to pay him their respects. The committee were then introduced to his Excellency by Abraham Bishop, Esq. Collector of the district, when their chairman, the Hon. Elizer Goodrich, Mayor of city, on behalf of his fellow-citizens and in the name of the committee, delivered a congratulatory address adapted to the occasion, to which his Excellency replied. The President then passed the Artillery in review, (who presented in the usual manner) and proceeded through the streets, (while the bells were ringing his approach) to his lodgings at Mr. Butler's Hotel, accompanied by the Governor's Horse Guards commanded by Major Prescott. The Governor and Lieut. Governor waited on him immediately on his alighting and welcomed him to the state of Connecticut. They were succeeded by the judges of the U. States and the Courts, members of Congress, and other distinguished citizens.

Saturday, he visited the Gun Factory of Eli Whitney, Esq., and the Chemical Laboratory, Library, Mineralogical Cabinet and Philosophical Chamber of the College.—At 12, his Excellency, accompanied by General Swift, reviewed the troops under arms, consisting of Col. Hoadley's regiment of Flying Artillery, the Governor's Horse and foot guards, the 1st battalion of field Artillery, and the Iron Greys; and was saluted by the discharge of small arms and artillery—after which he was escorted by Col. Hoadley's regiment and the horse guards to a levee room prepared by the committee at Mr. Porter's Hotel, where he was visited by the clergy, the officers of the college, all the revolutionary officers in this city, about eighteen in number, the Civilians, officers of the different corps on duty, and other citizens. After partaking of an elegant dinner served up in the most superior style at Mr. Butler's, in company with the governor and his suite, and several gentlemen, he visited the public buildings, the new burying ground, and other places which were deemed worthy of notice, attended by the Governor, Lt. Governor, and the committee.

On Sunday morning, he attended divine service at the South Brick Church, and in the afternoon at the Episcopal church; together with the Governor and Lt. Governor. In the evening, the committee, in the name and on behalf of their fellow-citizens, took leave of his Excellency in a short address, expressing the high sense which they entertained of his visit, with their sincere wishes for his individual prosperity, and his successful administration in his exalted station. The address was reciprocated in a manner honourable to his Excellency, and highly gratifying to the committee.

The execution of the several arrangements commanded the admiration of all, and was every way worthy of the very respectable gentlemen who directed it. Never have we witnessed greater exertion in the military, every man perform-

ed his duty with alacrity. Their manoeuvres were executed with spirit and in the most correct manner.

The dress of the President, has been deservedly noticed in other papers for its neatness and republican simplicity. He wore a plain blue coat, a buff under dress, and hat and cockade of the revolutionary fashion. It comported with his rank, was adapted to the occasion, and well calculated to excite in the minds of the people, the remembrance of the day which "tried men's souls." It was not the sound of artillery, the ringing of bells, nor the splendid procession alone from which we are to judge of the feelings and sentiments of the people on this occasion.—It was the general spirit of hilarity which appeared to manifest itself in every countenance, that evinced the pride and satisfaction with which Americans paid the voluntary tribute of respect to the ruler of their own choice,—to the magistrate of their own creation. The demon of party for a time departed and gave place to a general burst of NATIONAL FEELING.

The plan of visiting the different States, with a view of understanding and consulting the interests of all, has rendered Mr. Monroe more popular than any of his predecessors, excepting Gen. Washington, and will, it is hoped, completely eradicate those narrow, local prejudices, that have heretofore existed. He is justly considered as the head of the NATION,—not as the ruler of a party. The happy time appears at last to have arrived, when partisans, ceasing to strive for their own aggrandizement, will emulate each other in promoting the interests of their country. The people have declared, in an audible voice, "away with party distinctions, with party animosities, and with unmeaning names!"—We are all Americans.—We are all One!

At 6 o'clock yesterday morning, the President of the United States, accompanied by his suite, His Excellency Governor Wolcott, and a number of respectable citizens, left New Haven for Middletown, at which place he arrived about 11 o'clock, where he was received with civil and military honours, after a stay of two hours proceeded to Hartford. The President will leave Hartford this morning for New-London.

#### From the Connecticut Times.

Arrival of the President at Hartford.

It was not ascertained until Saturday last, that our distinguished Chief Magistrate would honor this city with his presence. As soon, however, as it was reduced to a certainty, the united voice of our citizens called for a feeble demonstration of the respect they felt for the man whom "THEY DELIGHT TO HONOUR." The Aldermen and Common Council, (the Mayor being absent) assembled at an early hour, and voted that the Aldermen prepare and deliver an address to the President. A committee of arrangements, consisting of gentlemen of both political parties, was appointed to make the necessary preparations.—The first company of the Governor's Horse Guards, commanded by Major Buck, were requested to repair to Wethersfield, there to receive the President, and escort him into this city. The Artillery Company, commanded by Capt. Ripley, were also requested to parade on the South Green, and fire the customary salutes, on the approach of the President. Both these companies were in perfect readiness to perform their respective duties. Information was, however, received, at about 5 o'clock, P. M. that the President would not arrive here until the Monday following; although the impatience of the people to see the supreme Magistrate of the Union, had already thronged our streets with anxious spectators.

On Monday the first company of the Governor's Horse Guards, under the command of Major Buck, repaired to Wethersfield, about four miles from this city, to receive the President. A large concourse of citizens from this and the neighbouring towns also assembled there, and escorted his Excellency to the South-Green, in this city, where the Hartford Artillery commanded by Capt. Ripley—the E. Hartford Artillery, commanded by Capt. Olmsted—the Sinsbury Artillery, commanded by Capt. Humphrey—the whole commanded by Col. Johnson, fired a national salute. He was then received by the first Company of the Governor's Horse Guards, com-

manded by Major Goodrich, Johnson's, Capt. Wadsworth's, Rockwell's, Capt. Blodgett's, Capt. Brown's, Infantry Companies, under the command of Col. Johnson, and a detachment of Cavalry, under the command of Col. Giddens, the whole of the immense salutes of Soldiers and Citizens, escorted the President over the bridge, which was elegantly ornamented with three lofty arches thrown over it, composed of green and laurel—from the summit one was suspended a label—June 4, 1817.—He was then escorted to Morgan's Coffee-House, where he alighted, amidst a throng of Soldiers and Citizens, more numerous than was ever before witnessed in this city.

Soon after his arrival he was dressed by John Morgan, Esq., an alderman of the city, in behalf of the Corporation, to which the President gave an extemporaneous answer.—He then proceeded to view the troops, accompanied by General Swift and Mr. Mason, his private secretary.

After reviewing the troops, his Excellency visited the *Deaf and Dumb Asylum*.

This day at an early hour, he visited the *State Arsenal*, in this town, after which he will proceed to Springfield, (Mass.) to examine the United States Armory, &c. at that place, from Springfield, it is said, he will proceed to New-London, via Hartford, on his tour to the eastward.

The following is the Address delivered to the President.

TO THE PRESIDENT OF THE UNITED STATES.

Sir—The pleasing duty has devolved on us, of presenting you the congratulations of the citizens of Hartford, on your arrival in this city. It is with sentiments of respect for private worth, no less than for public official dignity, that we present to your presence, the Chief Magistrate of our Nation is associated.

The endearing relation which subsists between the people of a free country, and their political ruler, and guide, is peculiarly fitted to enrich and enoble these sentiments.

It is no less our happiness, than yours, that your administration has commenced at a period guided by the recent exploits of the Army and Navy, and at the same time enjoying the tranquility and security of peace; when full scope is given to the enterprise, industry and skill of our citizens, in the employment of agriculture and manufactures; when the pursuits of science, and the cultivation of the arts of civilized life, are encouraged by appropriate rewards; and when the spirit of party, with its concomitant jealousies and misrepresentations, no longer render alienated other, those who ought to be brought together by paternal affection. We participate in your administration, commenced under such auspices, blessed with the smiles of Him "whose dominion is an everlasting dominion," a period of glory to our country, and of honour to yourself.

The state of Connecticut, as she was among the first to adopt the Constitution of the United States, so will she always be among its most firm and zealous supporters.

The people of this State, who cherish a high spirit of freedom, from the force of institutions and habits, distinguished also for their love of order, their submission to the laws. In pursuing a policy, which, as we confidently expect, will give the best effect to the principles of our government, establish commerce upon a permanent basis; renders us strong and independent; confer on us a distinct and elevated national character; and secure to our country the high advantages which seem destined for her by Providence; you may be assured of a hearty support.

May Heaven grant, sir, that your life may be long and happy; & that the freedom and independence of our country, may be perpetual.

JOHN MORGAN.

In behalf of the Mayor, Aldermen, Common Council and Freemen of the city of Hartford.

Hartford, June 23, 1817.

To which the President made the following reply.

TO THE MAYOR, ALDERMEN AND COMMON COUNCIL OF THE CITY OF HARTFORD.

Fellow-Citizens—I beg you to accept my grateful acknowledgments for the favourable sentiments which you have expressed towards me, in the kind and friendly manner, which you have received me. I can take no interest in the

in the present prosperous condition of our country. Having witnessed two wars, tended with eminent distress, which made a severe trial of instructions, I see, with the heart's satisfaction, the happy sequences attending our exertions, and which you have so justly ascribed in the review of them. And with peace, agriculture, the arts and commerce flourishing; jealousy abating, and our bond of daily gaining strength, our situation is peculiarly happy, and the prospect of its long continuance most flattering.—In a State where the arts and sciences are so highly cultivated, and which has evinced so strong an attachment to the rights of liberty, full confidence is entertained, that it will always be supported among the most zealous supporters of that cause, and of our most excellent Constitution.

JAMES MONROE

FROM A CORRESPONDENT.

Middletown, Conn. June 23. At nine o'clock this morning, the President of the United States, accompanied by his Secretary and General Swift of the Engineer Corps, arrived here. At Durham, six miles south, he was met by a large respectable committee, together with a number of our citizens, a company of cavalry, who escorted him to this place. Upon his approach to the town, he was received by several companies of Infantry and a large concourse of the inhabitants. He was mounted on a magnificent white horse, provided for the occasion; and as he rode along, unaffectedly truly republican simplicity of his department attracted our Chief Magistrate that spontaneous tribute which many a crowd had may wish for, but can never hope to receive.

The highest officer of our Republic, passing through a section of our country which he had never before seen, with all the plainness of a private citizen, requiring no attention, but every where met by military demonstrations of attention, presented a spectacle deserving resting and morally sublime.

After breakfast, the President took a survey of different manufacturing establishments in the town and its vicinity. He visited Messrs. Starr's, and Mr. Johnson's, the sword manufactory, and Messrs. Starr's, and Mr. Johnson's, the rifle manufactory, that species of arms in the use of which Americans particularly excel, and which by the energetic measures of Mr. Monroe, contributed so much to our glorious victory at New Orleans. The President and General Swift were so highly pleased with the specimens of Messrs. Starr's workmanship, that they each purchased one of their beautiful weapons, which for temper and proof probably superior to any made in Europe. In the afternoon the President was accompanied on his tour to Hartford for three or four miles by a large number of the citizens, many of whom, together with a troop of horse, escorted him to Wethersfield, (12 miles from this place) where they were met by the inhabitants and military, who conducted him to the latter city in a very handsome style.

In Middletown there are but few who served in the American revolution. The President, whose gallantry in service is tested by honourable wounds, was particularly attracted to them both, and feelingly related, as an acquaintance during revolutionary war, one of the heroes is now broken down by infirmities and age.

If our reception of the President cannot view in splendor that of large cities, we may venture to assert that few places have welcomed him with more cordiality and respect.

From the Boston Patriot.

The general committee of arrangements, appointed by the Boston, to adopt and cause to be carried into effect, such measures as they might think proper, for the reception of the President of the United States, met at Faneuil Hall, 24th, 1817, when the following order of procession was directed.

Order of Procession.

On the morning of the day which the President of the United States will approach the town of Boston, those citizens who wish to do honour to his entrance into the city, by appearing on horseback in the cavalcade of citizens, assemble on Common-street.